

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

JOANNE HARRIS and JESSICA DUFF, and  
CHRISTY BERGHOFF and VICTORIA KIDD,  
on behalf of themselves and all others similarly  
situated,

*Plaintiffs,*

v.

ROBERT F. MCDONNELL, in his official  
capacity as Governor of Virginia; JANET M.  
RAINEY, in her official capacity as State Registrar  
of Vital Records; THOMAS E. ROBERTS, in his  
official capacity as Staunton Circuit Court Clerk,

*Defendants.*

No. 5:13-cv-00077

**PLAINTIFFS' MOTION TO AMEND PROPOSED CLASS DEFINITION**

Plaintiffs hereby move to amend their proposed class definition as follows:

Subclass 1: All same-sex couples in Virginia who have not married in another jurisdiction.

Subclass 2: All same-sex couples in Virginia who have married in another jurisdiction.

The grounds for this Motion are set forth in the accompanying Memorandum.

Dated: October 30, 2013

Respectfully submitted,  
AMERICAN CIVIL LIBERTIES UNION  
OF VIRGINIA FOUNDATION, INC.

AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 30th day of October 2013, I effected service upon counsel for Defendants by electronically filing the foregoing with the Clerk of the Court using the CM/ECF system.

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